



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Lieutenant Colonel Kevin P. Arnett
United States Army Corps of Engineers, San Francisco District
450 Golden Gate Avenue, 4th Floor
San Francisco, California 94102

Subject: Oakland Harbor Turning Basins Widening Navigation Study

Dear Lieutenant Colonel Arnett,

The U.S. Environmental Protection Agency (EPA) appreciates our long-standing partnership with the U.S. Army Corps of Engineers, San Francisco District (USACE) over the past decade to protect our navigable waterways and ensure meaningful engagement of stakeholders and the public. To that end, we hope to meet with you this month to discuss the USACE's plan to publish a Recirculated Draft Environmental Assessment (EA) for the Oakland Harbor Turning Basin Widening project.

Specifically, we would like you to consider aligning the analysis and conclusions between the parallel efforts being conducted under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). EPA recommends that the USACE consider publishing a joint NEPA/CEQA document to provide a more robust scientific basis to support the proposed federal action (i.e. Finding of No Significant Impact), and ensure more effective decision-making on potential direct, indirect, and/or cumulative impacts from port operations, freight onloading/offloading, truck activity, community and health impacts, and environmental justice considerations. Publishing a joint NEPA/CEQA document will further support meaningful coordination with communities with environmental justice concerns, a more unified message regarding potential project impacts, and coordinated measures for reducing and mitigating those impacts.

EPA understands that the USACE is seeking a short-term waiver from USACE's three-year environmental review timeframe in order to prepare a Recirculated Draft EA to analyze changes to the dredging locations and other project elements. A slightly longer waiver would allow for improved coordination of the NEPA/CEQA processes.

We are aware that our senior leadership intend to meet together soon. This project is of interest to EPA Regional Administrator Guzman, specifically as it intersects with the Biden-Harris Administration's Environmental Justice priorities, which our agencies have each memorialized in national and local guidance and plans.

We appreciate that you have made your staff available to continue coordinating with our agency as the project advances and we look forward to speaking with you regarding the concerns we have raised. Our staff will be in touch to confirm a day and time for our rescheduled meeting.

Sincerely,

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Laura Ebbert
Director, Tribal, Intergovernmental,
and Policy Division

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Tomás Torres
Director, Water Division

Enclosures: EPA Draft EA Comment Letter, February 14, 2022

Cc via email: Alison Kirk, Bay Area Air Quality Management District
Stanley Armstrong, California Air Resources Board
Larry Goldzband, San Francisco Bay Conservation and Development Commission
Bryan Brandes, Port of Oakland
Eileen White, San Francisco Bay Regional Water Quality Control Board